

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DENNIS R. WEIR,

Plaintiff,

vs.

JONAH J. WHITE, MATTHEW G. JULIAN,
and BILLY BOB TEETH, INC.,

Defendants.

Case No. 15-cv-223-SMY-DGW

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation ("Report") (Doc. 57) of Magistrate Donald G. Wilkerson recommending that the Motion for Good Faith Finding filed by Defendant Matthew G. Julian (Doc. 49) and the Motion to Dismiss Indemnity Counts of Crossclaims Without Prejudice filed by Defendants Jonah J. White and Billy Bob Teeth, Inc. (Doc. 54) be granted.

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. The Court has discretion to conduct a new hearing and may consider the record before the magistrate judge anew or receive any further evidence deemed necessary. *Id.* "If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error." *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. Further, the Court has reviewed the motions and case history and finds that the Report is not clearly erroneous. Accordingly, the Court **ADOPTS** the Report of Magistrate Judge Wilkerson (Doc. 57). Defendant Matthew G.

Julian's Motion for Good Faith Finding is **GRANTED** and Plaintiff's claims against Defendant Julian are **DISMISSED with prejudice**. Defendant White and Billy Bob's crossclaims for contribution against Defendant Julian are **DISMISSED with prejudice**. Defendants Jonah J. White and Billy Bob Teeth, Inc.'s Motion to Dismiss Indemnity Counts of Crossclaims is **GRANTED without prejudice** and the equitable indemnity crossclaims brought by these defendants against Defendant Julian are **DISMISSED without prejudice**.

IT IS SO ORDERED.

DATED: July 11, 2016

s/ Staci M. Yandle
STACI M. YANDLE
DISTRICT JUDGE